

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKFILE NO.: 078525  
FILED ON: 10/4/2007 CASE NO.: 07CIV8604

AMERICAN INSURANCE COMPANY A/S/O MARIAH CAREY

Plaintiff(s)-Petitioner(s)

-vs-

CORN ASSOCIATES LLC, THE FRANKLIN TOWER CONDOMINIUM, KATZ METAL FABRICATORS INC.,  
OLYMPIC PLUMBING AND HEATING III CORP., AND SAMCO PLUMBING, INC.

Defendant(s)-Respondent(s)

STATE OF NEW YORK}  
COUNTY OF SCHENECTADY ss.}

I, Mark E. McClosky being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party in this proceeding and resides in New York State.

On OCTOBER 10, 2007 at 10:55 A.M.

Deponent served a true copy of SUMMONS IN A CIVIL ACTION, COMPLAINT WITH JURY TRIAL DEMANDED, RULE 7.1 DISCLOSURE STATEMENT, NOTICE, INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J PECK, CONSENT TO PROCEED, INDIVIDUAL PRACTICES OF JUDGE WILLIAM H PAULEY III, GUIDELINES FOR ELECTRONIC FILING  
bearing index number: 07CIV8604 and date of filing: 10/4/2007  
upon **KATZ METAL FABRICATORS INC.**  
at address: **SECRETARY OF STATE, 41 STATE STREET**  
City & State: **ALBANY, NY 12207**MANNER OF SERVICE}Personal

By delivering to and leaving with personally}  
known to the deponent to be the same person mentioned and described in the above proceeding as the person to be served.

Suitable Age Person

By delivering and leaving with personally}  
at the premises which is recipient's actual place of business/usual place of abode. Such person knowing the person to be served and associated with him/her, and after conversing with him/her, deponent believes him/her to be a suitable age and discretion.

Authorized Agent

By delivering and leaving with} **CAROL VOGT**  
the agent for service on the person in this proceeding designated under Rule 306 BCL . Service having been made to such person at the place, date and time above.

Affixing to Door, Etc.

By affixing a true copy of each to the door of the actual place of business, dwelling place or usual place of abode stated above.  
 Deponent was unable with due diligence to find the proper or authorized person to be served, or a person of suitable age and discretion at the actual place of business, dwelling place or usual place of abode stated above after having called there on the following dates and times:

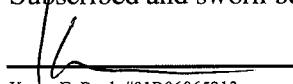
Mailing

Deponent completed service by depositing a true copy of each in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service. The package was labeled "Personal & Confidential" and mailed to the person stated above at address  
on . The envelope did not indicate on the outside that the communication was from an attorney or concerned an action against the recipient. The envelope was mailed by first class mail certified mail registered mail return receipt requested.

Deponent further states upon information and belief that said person so served is not in the Military service of the State of New York or the United States as the term is defined in either State or Federal statutes.

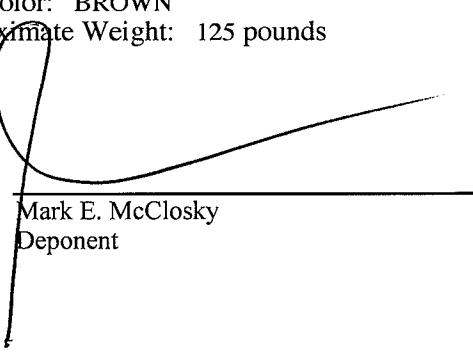
DESCRIPTION} deponent describes the person actually served as:Sex: FEMALE Race/Skin Color: WHITE  
Approximate Age: 53 years Approximate Height: 5'4"  
Other:Hair Color: BROWN  
Approximate Weight: 125 pounds

Subscribed and sworn before me on} OCTOBER 10, 2007

  
 Karen E. Rock #01R06065213  
 Notary Public, State of New York  
 Qualified in Schenectady County  
 Commission Expires: 10/09/2009

 Kathryn A. Rock-McClosky  
 Commissioner of Deeds  
 Qualified in Schenectady County  
 Commission Expires: 08/27/2004

 Attorney Info:  
 Cozen O'Connor  
 45 Broadway, 16th Floor  
 New York, NY 10006  
 212-509-9400

  
 Mark E. McClosky  
 Deponent

affidavit number: 200770074

Receipt #: 200710100383  
Date of Service: 10/10/2007  
Service Company: [REDACTED]

Cash #: 200710100358  
Fee Paid: \$40 - CHECK

Service was directed to be made pursuant to: SECTION 306 OF THE BUSINESS CORPORATION LAW

Party Served: KATZ METAL FABRICATORS INC.

Plaintiff/Petitioner:  
AMERICAN INSURANCE COMPANY

Service of Process Address:  
KATZ METAL FABRICATORS INC.  
434 E 165TH ST  
BRONX, NY 10456

Secretary of State  
By CAROL VOGT